

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF IOWA,
STATE OF MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE OF
TEXAS, STATE OF WASHINGTON, and
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC,
and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

**PLAINTIFF FEDERAL TRADE
COMMISSION'S SUGGESTION
OF SUBSEQUENTLY DECIDED
AUTHORITY**

Pursuant to Local Rule 7.3(i), Plaintiff Federal Trade Commission hereby submits a suggestion of subsequently decided authority relevant to Defendants' Motions to Dismiss the Amended Complaint (Docs. 94, 99) and Plaintiffs' Response in Opposition thereto (Doc. 110).

The subsequently decided authority is *Illumina, Inc. v. FTC*, No. 23-60167, 2023 WL 8664628, at *3, *16 (5th Cir. Dec. 15, 2023) (holding that removal protections for Federal Trade Commission commissioners are constitutional per binding Supreme Court precedent). It is attached hereto as Exhibit A.

Dated: December 19, 2023

Respectfully submitted,

/s/ James H. Weingarten

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